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| APPLICATION NO.                    | FILING DATE   | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.     | CONFIRMATION NO.   |  |  |
|------------------------------------|---------------|----------------------|-------------------------|--------------------|--|--|
| 10/030,532                         | 05/20/2002    | Rolf Hartung         | EF377398953US           | EF377398953US 4148 |  |  |
| 21003 75                           | 90 11/29/2004 |                      | EXAM                    | EXAMINER           |  |  |
| BAKER & BOTTS 30 ROCKEFELLER PLAZA |               |                      | KEENAN,                 | KEENAN, JAMES W    |  |  |
| NEW YORK, 1                        |               |                      | ART UNIT                | PAPER NUMBER       |  |  |
|                                    |               |                      | 3652                    | 3652               |  |  |
|                                    |               |                      | DATE MAILED: 11/29/2004 |                    |  |  |

Please find below and/or attached an Office communication concerning this application or proceeding.

| •  |  |   |  |  |             |  |  |
|--|--|---|--|--|-------------|--|--|
| Office Action Summary  |  | Application   | n No.  | Applicant(s)   |             |  |  |
|  |  | 10/030,53   | 2  | HARTUNG, ROLF  |             |  |  |
|  |  | Examiner  |  | Art Unit   | 10          |  |  |
|  |  | James Ke  |  | 3652   |             |  |  |
| Period fo  | The MAILING DATE of this communication<br>or Reply   | n appears on the  | cover sheet with the c   | orrespondence addre  | ess         |  |  |
| THE I - Exter after - If the - If NO - Failu Any   | ORTENED STATUTORY PERIOD FOR RIMAILING DATE OF THIS COMMUNICATION in time may be available under the provisions of 37 CF SIX (6) MONTHS from the mailing date of this communication period for reply specified above is less than thirty (30) days, or period for reply is specified above, the maximum statutory per to reply within the set or extended period for reply will, by serely received by the Office later than three months after the red patent term adjustment. See 37 CFR 1.704(b). | ON.<br>FR 1.136(a). In no even<br>n.<br>a reply within the statu<br>eriod will apply and wit<br>statute, cause the appl | ent, however, may a reply be ting<br>story minimum of thirty (30) day<br>Il expire SIX (6) MONTHS from<br>ication to become ABANDONE | nely filed s will be considered timely. the mailing date of this comn D (35 U.S.C. § 133). | nunication. |  |  |
| Status   |  |   |  |  |             |  |  |
| 1)⊠  | Responsive to communication(s) filed on  | 09 September 2  | 004.   |  |             |  |  |
| ·  | -  | This action is n  |  |  |             |  |  |
| 3)□  | · · · · · · · · · · · · · · · · · · ·  |   |  |  |             |  |  |
| Dispositi  | ion of Claims  |   |  |  |             |  |  |
| 5) □<br>6) ⊠<br>7) □<br>8) □<br>Applicati  | Claim(s) 17-31 is/are pending in the application of the above claim(s) is/are with Claim(s) is/are allowed.  Claim(s) 17-31 is/are rejected.  Claim(s) is/are objected to.  Claim(s) are subject to restriction a sign Papers  The specification is objected to by the Example of the drawing(s) filed on 5/20/02 is/are: a)   | ndrawn from con<br>nd/or election re<br>miner.  | equirement.  | e Examiner.  |             |  |  |
| Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  |  |   |  |  |             |  |  |
| Priority (   | under 35 U.S.C. § 119  |   |  |  |             |  |  |
| <ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No.</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul> |  |   |  |  |             |  |  |
| Attachmen  |  |   | _  |  |             |  |  |
|  | ce of References Cited (PTO-892)<br>ce of Draftsperson's Patent Drawing Review (PTO-94)  | 8)  | 4) Interview Summary Paper No(s)/Mail D  |  |             |  |  |
| 3) Infor   | mation Disclosure Statement(s) (PTO-1449 or PTO/Ser No(s)/Mail Date  | •   |  | Patent Application (PTO-1  | 52)         |  |  |

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1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the grippers of the external handling device (claim 17), as well as the features of claims 22-24 and 27-29 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

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Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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3. Claims 18, 23, and 24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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In claim 18, "to be move" is unclear.

In claims 23 and 24, the recitation of "said plate" lacks clear antecedent basis.

- 4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 5. Claims 17-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parodi et al (US 5,651,823) in view of Yonemizu et al (US 5,958,145), both of record.

Parodi shows an apparatus for transferring between cassettes 19, 20 and processing chamber 17 which includes heating and cooling plates, comprising external handling device 13 having grippers 14, wherein the external handling device is "external to the wafer processing chamber", as broadly claimed (see fig. 4), and internal handling device 208 "disposed in a cooled area", as broadly claimed, since it cooperates with cooling plate 128, wherein the internal handling device receives wafers directly from the external handling device (contrary to applicant's assertion otherwise; see col. 12, lines 35-44, col. 13, lines 39-46, and col. 21, lines 13-16) and moves the wafers between the heating and cooling plates.

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Parodi does not show the internal handling device to comprise a fork having at least two degrees of freedom.

Yonemizu shows a similar apparatus, including analogous "external" and "internal" handling devices 11 and 3, respectively, wherein the internal handling device includes a fork and moves with at least two degrees of freedom.

It would have been obvious for one of ordinary skill in the art at the time of the invention to have modified the apparatus of Parodi with an internal handling device having a fork with at least two degrees of freedom of movement, as shown by Yonemizu, as this would simply be an alternate equivalent type of wafer handling device for a similar purpose and in a similar environment.

- 6. Applicant's arguments with respect to claims 17-31 have been considered but are most in view of the new ground(s) of rejection.
- 7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Keenan whose telephone number is 703-308-2559. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen Lillis can be reached on 703-308-3248. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James Keenan Primary Examiner Art Unit 3652

jwk 11/22/04